

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tropic Networks Inc. Attorney Docket No.: TR-060-US  
Patent No: 7,092,360 Group Art Unit: 2616  
Issued: August 15, 2006 Examiner: Hamann, Jordan J  
For: Monitor, System and method for monitoring performance of a scheduler

**ATTN: Certificate of Corrections Branch**

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

May 24, 2008

Dear Sir:

**REPLACEMENT CERTIFICATE OF CORRECTION UNDER 35 USC 254**

**PLEASE NOTE** that the Certificate of Correction mailed on May 09 2008 is to be replaced with the attached replacement Certificate of Correction, in which further minor corrections have been introduced.

We are in receipt of the above-noted issued Letters Patent. Pursuant to 37 C.F.R. 1.322, we respectfully request entry of the enclosed Certificate of Correction under 35 USC 254 in order to correct certain errors in the printed patent.

In particular,

Column 13, line 38, "claim 3" is corrected to read as -- claim 1--.

Column 13, line 38, cancel text beginning with "parameter comprises" to and ending " of said scheduler." in column 13, line 39, and insert the following claims:

"element for identifying a queue from which a cell is to be output, comprises one of:

a current pointer for identifying a queue from which a cell is to be output, and a next pointer identifying a queue from which a cell is to be output after a cell is output from the queue identified by said current pointer.

5. A monitor as claimed in claim 1, wherein said parameter comprises one of:

information contained in a cell supplied for storage in a queue identifying the queue in which the cell is to be stored, and information contained in a cell output by said scheduler identifying a queue

for storing the cell.

6. A monitor as claimed in claim 3, wherein said parameter comprises a state of a second element of said scheduler."

Column 13, line 40, "claim 4" is corrected to read as --claim 6--.

Column 13, line 43, "whether is" is corrected to read as --whether a--.

Column 13, line 48, "claim 4" is corrected to read as --claim 6--.

Column 13, line 53, "claim 4" is corrected to read as --claim 6--.

Column 13, line 58, "claim 7" is corrected to read as --claim 9--.

Column 13, line 63, "claim 4" is corrected to read as --claim 6--.

Column 14, line 3, cancel text beginning with "10. A monitor as claimed" to and ending "queue for storing the cell." in column 14, line 15.

Column 14, line 49, "of;" is corrected to read as --of:--.

Column 14, line 56, cancel text beginning with "16. A monitor as claimed" to and ending "plurality of different times." in column 15, line 4.

Column 15, line 18, "claim 18" is corrected to read as --claim 16--.

Column 15, line 24, "claim 19" is corrected to read as --claim 17--.

Column 15, line 31, after text ending with "data cell is to be output.", insert the following claims:

"19. A monitor as claimed in claim 1, wherein said scheduler comprises a buffer having a plurality of queues for storing data cells, and a next pointer for identifying a queue from which a next cell is to be output, and wherein said first element comprises a current pointer which identifies a queue from which a data cell is to be read out, and said monitor is detecting the position of said current pointer after a data cell has been read from the queue identified by said current pointer and to compare said position with the position of said next pointer.

20. A monitor as claimed in claim 1, wherein said scheduler comprises first and second elements and said monitor is monitoring the state of at least one of said first and second elements at a plurality of different times and comparing the state of the element at said different times with an expected state at each of said plurality of different times."

Column 16, line 30, cancel text beginning with "18. A method as claimed" to and ending "result of the comparison" in column 16, line 35, and insert the following claim:

"29. A method as claimed in claim 31, further comprising monitoring a parameter relating to the

operation of said scheduler, determining an expected value for said parameter based on the state of said element, comparing the monitored value of said parameter with the expected value of said parameter and outputting the result of the comparison.”

Column 16, line 40, “claim 29” is corrected to read as --claim 28--.

Column 16, line 45, cancel text beginning with “identifying a queue” to and ending “output.” in column 16, line 48, and insert the following claim:

“identifying a queue from which a data cell is to be output, and an element identifying a group of queues from which a cell is to be output.”

Column 16, line 62, “claim 29” is corrected to read as --claim 28--.

Column 17, line 4, “claim 29” is corrected to read as --claim 28--.

Column 17, line 9, “claim 29” is corrected to read as --claim 28--.

Column 17, line 16, cancel text beginning with “36. A method as” to and ending “of said element to said monitor” in column 18, line 14.

Column 18, line 22, “claim 45” is corrected to read as --claim 38--.

Column 18, line 24, “claim 46” is corrected to read as --claim 39--.

Column 18, line 26, after text ending with “VDHL.”, insert the following claims:

“41. A method as claimed in claim 28, further comprising monitoring the state of one or more elements of said scheduler and comparing the state of the or each further element with an expected state for the or each further element.

42. A method as claimed in claim 41, further comprising determining an expected state for the or each further element based on at least one of the monitored and the expected state of said first element.

43. A method as claimed in claim 42, wherein said one or more further elements is/are selected from the group consisting of:

an element for recording whether a queue is empty or occupied, an element for recording the number of cells contained in a queue, an element identifying a queue from which a cell is to be output, and an element identifying a group of queues from which a cell is to be output.44. A method as claimed in claim 28, further comprising monitoring one or more further parameters relating to the operation of said scheduler and comparing the monitored value of the or each further parameter with an expected value for the or each parameter.

45. A method as claimed in claim 44, further comprising determining the expected value of the or each further parameter based on at least one of the monitored value and the expected value of the first parameter."

Column 18, line 35, after text ending with "states for said element", insert the following claims:

"48. A method as claimed in claim 28, comprising monitoring said parameter at a plurality of successive times and comparing the sequence of monitored states of said parameter with a sequence of expected states for said parameter.

49. A method as claimed in claim 48, wherein each parameter comprises information contained in a data cell output by said scheduler identifying a queue for storing said cell."

Respectfully submitted



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By: Victoria Donnelly  
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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 7

PATENT NO. : 7,092,360  
APPLICATION NO.: 10/028,286  
ISSUE DATE : August 15, 2006  
INVENTOR(S) : Saint-Hilaire R., et al

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 13, line 38, "claim 3" is corrected to read as --claim 1--.

Column 13, line 38, cancel text beginning with "parameter comprises" to and ending " of said scheduler." in column 13, line 39, and insert the following claims:

"element for identifying a queue from which a cell is to be output, comprises one of:

a current pointer for identifying a queue from which a cell is to be output, and a next pointer identifying a queue from which a cell is to be output after a cell is output from the queue identified by said current pointer.

5. A monitor as claimed in claim 1, wherein said parameter comprises one of:

information contained in a cell supplied for storage in a queue identifying the queue in which the cell is to be stored, and information contained in a cell output by said scheduler identifying a queue for storing the cell.

6. A monitor as claimed in claim 3, wherein said parameter comprises a state of a second element of said scheduler."

Column 13, line 40, "claim 4" is corrected to read as --claim 6--.

Column 13, line 43, "whether is" is corrected to read as --whether a--.

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Column 13, line 48, "claim 4" is corrected to read as --claim 6--.

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"19. A monitor as claimed in claim 1, wherein said scheduler comprises a buffer having a plurality of queues for storing data cells, and a next pointer for identifying a queue from which a next cell is to be output, and wherein said first element comprises a current pointer which identifies a queue from which a data cell is to be read out, and said monitor is detecting the position of said current pointer after a data cell has been read from the queue identified by said current pointer and to compare said position with the position of said next pointer.

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Column 16, line 40, "claim 29" is corrected to read as --claim 28--.

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Column 16, line 45, cancel text beginning with "identifying a queue" to and ending "output," in column 16, line 48, and insert the following claim:

"identifying a queue from which a data cell is to be output, and an element identifying a group of queues from which a cell is to be output."

Column 16, line 62, "claim 29" is corrected to read as --claim 28--.

Column 17, line 4, "claim 29" is corrected to read as --claim 28--.

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It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

- “41. A method as claimed in claim 28, further comprising monitoring the state of one or more elements of said scheduler and comparing the state of the or each further element with an expected state for the or each further element.
42. A method as claimed in claim 41, further comprising determining an expected state for the or each further element based on at least one of the monitored and the expected state of said first element.
43. A method as claimed in claim 42, wherein said one or more further elements is/are selected from the group consisting of:
- an element for recording whether a queue is empty or occupied, an element for recording the number of cells contained in a queue, an element identifying a queue from which a cell is to be output, and an element identifying a group of queues from which a cell is to be output.
44. A method as claimed in claim 28, further comprising monitoring one or more further parameters relating to the operation of said scheduler and comparing the monitored value of the or each further parameter with an expected value for the or each parameter.

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45. A method as claimed in claim 44, further comprising determining the expected value of the or each further parameter based on at least one of the monitored value and the expected value of the first parameter."

Column 18, line 35, after text ending with "states for said element", insert the following claims:

"48. A method as claimed in claim 28, comprising monitoring said parameter at a plurality of successive times and comparing the sequence of monitored states of said parameter with a sequence of expected states for said parameter.

49. A method as claimed in claim 48, wherein each parameter comprises information contained in a data cell output by said scheduler identifying a queue for storing said cell."

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## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.